A DISCOURSE TOUCHING THE ADDRESSES OR PRESENTMENTS TO THE KING AGAINST THE Association.

WITH

An Account of the *Association* made and confirmed in the Reign of

Queen Elizabeth.

LONDON,
Printed for *J. Hither*, MDCLXXXII.

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A Discourse touching the Addresses or Presentments to the King against the Association, &c.

AN Association Traiterously designed, to subvert the Monarchy, and to disturb the Peace and Quiet of the Government, doth also tend to overthrow the Protestant Religion, as by Law Established; such an one detected, and by Law manifestly brought to Light, is to be abhorred by every one, as a Loyal Subject, and as a good Christian.

But when in the King's Court of Justice, there is legally declared none such designed or on foot in order to such wicked Enterprizes, then an imputation of such an one against any Person or Persons that are cleared, is but an injurious Imputation of Guilt, especially considering the known integrity of a Protestant Jury; not one, but several men of spotless Conversations, as also of known abilities, as to their Parts and Estates too, and therefore most unlikely to be subject to Bribery, and thereby to sell Justice.

And any person or persons so clear'd by Law, and yet lie under the imputation of Traitors and Rebels from others, publickly declared, is to render it Null, which is our main security. For what is the Law but Com-

mon Right, in that it is the Right Line, whereby distributive Justice is guided and directed, whereby Justice and Right is done according to the Rule thereof, and Custom of *England*, whereby every one partaketh either of Punishment or Acquittance according to his Innocence or just Demerits, and accordingly is to be looked upon as a Person *Nocent* or *Innocent*.

The Law may Rightly be termed *Rectum* or *Right*, by Reason it is a means to discover that which is crooked or wrong, whereby the Injuries and Sufferings of men are helped and eased, whereby the injuring Oppressors are regulated and punished: it is a Rule to Model and rightly Square the Courses of Men, that some should not oppress, injure and wrong their Neighbours, that others also should not be wrongfully abused, injured or oppressed.

It is also a greater Inheritance to every Man, than that which comes to Him (as an Heir) from his Parents, it is our security whereby our Wives, Children, Lands, Houses, Names, Honour, Lives, *&c.* are protected from Injury; if it then cleares a Man or any men from such an Imputation of Guilt, which may have been laid to his or their Charge, is not then the Law violated, which is and ought to be a Covert and Defence to mens Names and Reputations, when this Design of it is disregarded.

The King having distributed his *Judicial* Power to his several Courts of *Justice*, wherein all Causes, Treasons and Injuries are to be decided and determined, to the end men may receive Justice in a Legal way, and avoid all Usurpation of Self-vindicating

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or rather Revenging themſelves upon the Perſons, Names or Eſtates of the Offenders, whether the Quarrel, Injury, or Offence be publick or private. It muſt needs follow, That all men of what Degree or Rank ſoever muſt be juſtified or condemned by Law, that is in receiving Juſtice either in a clear diſcharge, or condemnation to condign puniſhment in the King's Courts of Juſtice.

That alſo by an humble Submiſſion to Authority, No man by his own arm or power ſhould revenge his own Cauſe, for which alſo we have the Command and Law of Almighty God, *Vengeance is mine, and I will repay*, ſaith the ſupreme Governour and Lawgiver of Heaven and Earth; or from the King (who is his Lieutenant) in ſome of his Courts of Juſtice, as he is appointed of God *to bear the Sword, and to be an encouragement to them that do good, but a terror to them that do Evil*; and therefore as any Perſon or Concernment is adjudged by the King, in any of his Courts of Juſtice; ſo likewiſe let us ſubmit, and accordingly give out our cenſure, or judge charitably: But no *Aſſociation* found to ſubvert the Monarchy, or to diſturb the Quiet of the Government, the Perſon accuſed cleared in a Legal way by a wiſe Proteſtant Jury in his Majeſtices Courts of Juſtice, why then ſhou'd that be accuſed to His Majeſties Perſon, which in his Courts of Juſtice is acquitted. And beſides, we ſeem to forget our *Engliſh* Clemency, and fraternal Hoſpitality, when *Engliſh-men* endeavour the Subverſion of each other; ſurely we degenerate from true *Engliſh Spirits*, for Subjects to repreſent their Country-men and fellow Subjects to their

their Prince as Traiterous Fanaticks; doth seem utterly to forget the Act of Free and General Pardon, Indemnity, and Oblivion, in raising up the Memory of the late Unhappy Troubles, in which Act his Majesty is graciously pleased, *That to the intent and purpose, all Names and Terms of distinction may be put into utter Oblivion, Orders, That if any Person or Persons, within the space of three Years next ensuing it, shall presume maliciously to call or alledge of, or Object against any other Person or Persons, any Name or Names, or other words of Reproach, any way tending to revive the Memory of the late Differences, or Occasions thereof; that then every such Person, so as aforesaid offending, shall forfeit and pay unto the Party grieved, in Case such Party offending shall be of the Degree of a Gentleman or above, ten pounds; and if under that Degree, the sum of Forty Shillings; to be recovered by the Party grieved, by Action of Debt, &c.* What was the tendency of his Majesties Gracious inclination herein, but to blot out of his own Mind, and the minds of his Subjects, all Terms of Difference by thus manifesting his dislike thereof? Then how unkind is it for Subjects to represent to their Prince their fellow Subjects as wicked and Traiterous, to revive the Memory of Differences, which the King has long since been pleased to bury in an Act of Oblivion, as they are presented to his Majesty in several of the Addresses; as also, desiring that the Laws may be put in Execution against all *Popish* and *Fanatick Dissenters*, which is a very unequal Yoking them together, and truly becometh not a Protestant Spirit.

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What is this but to raiſe Feuds, Animoſities and Contentions amongſt Neighbours and Civil Societies. It is a very evil Temper in men to act like the Fowler, who catcheth Birds by a Pipe which counterfeits their Voices: ſo likewiſe for men to turn with any Tide of the Times, that they may play upon their Magiſtrates and Governours, pretending to that Loyalty and Affection in matters which we ſuppoſe exceed their Sphear; and much to be queſtioned, whether under pretence of a City, Corporation or Burrough, there be one quarter of them which voluntarily Subſcribe thereunto.

It is Generally ſaid, That in thoſe Hives wherein the Bees make moſt noiſe, humming and ſtir, they are the moſt ſound and uſeful in yielding much Honey: But this Compariſon holds not good in Reference to a Common-Wealth or Nation, for the quietneſs, peace and Concord therein, is the only way of its preſervation and happineſs; But when any Diſcords or Tumults ariſe, it is greatly requiſite that the Supream Magiſtrate ſideth with None, but is general Patron of all his Subjects, to make up all Differences and Factions; for by ſiding with any party (as my Lord *Bacon* ſaith) He maketh Himſelf of that party, in oppoſition to the Other. So that when ſome Differences and Seditions ariſe, it is needful that a Common Patron ſhould, without regard of either, only interpoſe as peace-maker, which doubtleſſy would make Nations more ſound and Harmonious under their Government, for as in the Sickneſs of the Natural Body, the beginning of a change to-

toward the Recovery of Health, proceeds not from the diſeaſed parts, but when the Temparature of the more ſound and healthy Members is ſo puiſſant, that it expelleth that which in the reſt of the Body was unkind: So in a People or Nation, where are Tumults and Seditions, wherein are many diſtempered Members, the moſt certain healing way is for the Governing part, which ſit at Helm, ſo to moderate popular differences, as on neither ſide to decline, but only to promote peace and quietneſs. And certainly it cannot be but unnatural in fellow ſubjects to render themſelves Incendaries againſt their Brethren in meddling with the moſt intricate Concerns of State; it is preſumptuous, and iſſueth only from a vigorous Spirit of Ambition, which is, as it were, a Captain or Conductor of a Train of Miſchiefs and Differences, which is a moſt ineffectual way to heal the breaches of a Nation. And although theſe *Declarations* and *Addreſſes* ſeem not ſuch great Fires of Contention as preſently to confound us; yet it's feared, that they are like Scare-Fires which generally begin not at ſumptuous Houſes and Magnificent Edifices, but may fall out by ſome Candle in a mean and ordinary Houſe, which was not well obſerved; or it may be Straw or Ruſhes catching Fire might ſuddenly Flame: but if this be not timely quenched, may extend it ſelf unto the Confuſion of the Town or City: ſo little Differences fomented, in proceſs of time may prove great Confuſions.

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And different Parties growing in Factions in a Nation, are but an evil preſage, as may be plainly exemplified in the antient Story of the Civil Diſſentions in the City of *Delphos*, which aroſe by means of one *Crates*, whſe daughter one *Orgilaus* had determined to Wed, and coming to the point of that determination, it ſo happened that the Cup out of which they were to effuſe Wine, Firſt, in Honour of the Gods, and afterwards to drink one to another, according to the Nuptial Ceremonies of that place, broke into pieces of it ſelf, which *Orgilaus* taking to be an ill *Omen*, forſook his eſpouſed Bride, and went away, not finiſhing the uſual Ceremonies of Marriage; But ſome few daies after, as they were Sacrificing to the Gods, *Crates* underhand conveyed away a Veſſel of Gold, and laid it to the Charge of the ſaid *Orgilaus*, putting it amongſt Goods of his, and ſo cauſed him to be thrown down from the top of a Rock, without any proceſs at Law, as a notorious Church Robber, and ſlew ſeveral of his Kindred and Acquaintance; which at laſt, from a private Quarrel, raiſing ſo much miſchief and diſturbance, that they were forced to put to Death *Crates* and his Complices, for prevention of publick Quarrels and devaſtations.

At *Syracuſa* alſo two Young men, intimately acquainted: the one travelling abroad, committed to his Friends Cuſtody a Concubine of his till his return home: but he in the abſence of his Friend abuſed her Body. His Friend returning home, had intelligence thereof, who ſtudying to avenge his own Cauſe, enriced and prevailed with the others

Wife to defile her Marriage Bed. The matter came before the Councel-board of the City to be heard: one of the Ancient Senators there moved, That both ſhould be baniſhed out of the City, leaſt by reaſon of their deadly Feud the City, being filled with *Parties* on each ſide, ſhould be deſtroyed; But his Councel being diſregarded; in a ſhort time, on this account, *Parties* being made, the *People* thereby being exaſperated, grew into an open Sedition, and after many dreadful Calamities, overthrow that excellent State and Government. And herein appears the manifeſt miſchief of growing *Parties* in a State and Government.

It is the miſery of a Kingdom to have Enemies without doors and within: But the Domeſtick ones are moſt formidable, for they tend only to encourage the Forraign; they are but in-lets for them, as well as promoters of the Ruin of their Country themſelves. Let us conſider an occurrence in the Year 1501. when *Aretium* and the whole Vale of *Tiber* was loſt, and that of *Chiana* was taken by the *Vitelli*, there was ſent a Gentleman named *De Lant* by the King of *France*, to cauſe a Reſtitution of all thoſe loſt Towns: This *De Lant* finding in every one of theſe Fortreſſes Men, who when they came to viſit him, told him, They were of the Faction of *Marzocco*, he very much blaming their *Diviſion*, ſaid, That if in *France*, one of the King's Subjects ſhould ſay, that he were of the King's *Party*, he would be puniſhed: Becauſe ſuch a Speech could ſignifie no leſs, than that there were in the Country people enemies to the King; whereas the Well of the King

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is, that all those Towns should be his Friends united in themselves, and free from all Factions; Noting, that it behoveth the Prince to carry himself a Neuter to any *Party* whatever: for when things are in Quietness, a *Party* may flatter and somewhat help too, but when comes any distress and Calamities, they quickly shew what trust is to be had in them.

And it is prejudicial to the good and Interest of both King and Kingdom, for any *Party* to act that which may occasion the moving of discord or scandal between the *King* and his *People*, for it is the Law of God, *Non Malidices principi Populi, Thou shalt not Curse the Ruler of thy People:* a greater Curse or dishonour can't be, than to raise scandal and discord, for a sweeter Blessing is not to be found in a Nation, than Subjects having an inward and hearty Love to their Soveraign, and the King a good and gracious opinion of his *People:* the happiness whereof is hard to be attained whilst so many Addresses are continued to represent to the King many of his Subjects as Traiterous Fanatick Enemies to his Government, and joynt Mutineers with the *Popish* Faction, or rather worse, who in reality are his hearty Lovers, and Well-wishers, and are discharged from such Imputations by Law and Justice, and a good Protestant Jury. But to speak of Juries power and priviledge would be needless having had much of it already. I shall only aim to fortifie what was before said, that Protestants acquitted by a *Protestant Jury* of men able and just, should be looked upon as Innocent, being legally acquitted,

and therefore moſt unreaſonable to be declaimed againſt as Guilty and Factious Traytors and Rebels.

And we need not be tedious in enquiring for what end Juries were firſt Inſtituted, it may be eaſily known to any that will but take the pains moderately to inſpect our ancient Laws and Cuſtoms: where he ſhall certainly find that Juries were alwaies acknowledged, of all others, the beſt and moſt effectual means to find out Truth. There being no other way or Art, in the whole World, eſteemed leſs ſubject to all danger of Subordination and Corruption; which will appear, eſpecially, if we conſider how Jury-men ought to be qualified according to Law; which ſays thus, *viz.* That thoſe which are returned to ſerve on Juries, ought to be *Boni & legales homines*, that is, *Good and lawful Men*, be free of, and from all manner of Bondage, Obligations, Affections, Relations, Paſſions, Intereſts, and other Prejudices whatſoever; Of full Age, that is, Twenty one Years old; not Out-lawed, never Attainted or Convicted of Treaſon, Felony, Falſe Verdict, Perjury, any Conſpiracy at King's-Suit, nor ever adjudged to the Pillory or the like, whereby one is rendred Infamous. Neither is any Alien to be a Jury-man (unleſs an Alien be tried) but ſuch as be moſt nigh, moſt ſufficient, and leaſt ſuſpicious: They ought to be of the Vicinage where the Party accuſed liveth; or at leaſt, where the Cauſe of the Charge or Action doth ariſe; chiefly for this Reaſon, *viz.* that ſo what is in iſſue before them may be the more fully known and underſtood

ſtood by them who are to give their Verdict of the thing.

And then in the next place, theſe perſons being qualified, as aforeſaid, muſt be bound to a faithful diſcharge of their duty and truſt committed to them, by a ſolemn Oath, then which there is certainly no greater Obligation to honeſt men, and Conſciencious, eſpecially (ſuch as Jury-men ought to be) to faithfulneſs and integrity in their proceedings; which Oath is alſo tendred to every One in Particular; which Oath as it Concerns a Grand Jury-man is as followeth, *viz. I will diligently enquire, and true Preſentment make of all ſuch things and matters as ſhall be given me in Charge, or ſhall come to my knowledge concerning this preſent ſervice. The King's Counſel, my own and my Fellows, I well and truly will keep ſecret. I will preſent nothing for malice, Lucre, or Evil-will: Nor will I leave any thing unpreſented for Love, Favour, Affection, Reward, or any hopes thereof. But in all things that ſhall concern this preſent ſervice, I will preſent the Truth, the whole Truth, and nothing elſe but the Truth. So help me God.*

Now let any Perſon judge, whether Perſons approved both for Honeſty and Integrity, having engaged themſelves by ſuch a ſolemn Oath, may not be Credited. A Conſciencious perſon will certainly be very careful and Circumſpect in performing exactly thoſe things which he has undertaken ſo to do upon Oath; For does he not in effect pray that God would never help him, if he do not faithfully keep his Oath? Neither can he be ignorant that Perjury

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is a contempt of God; and then however, as the Proverb ſays, *It's ill Jeſting with Edge-Tools.* And when Juries have endorſed their Bill, or brought in their Verdict, they are only accountable to God and their own Conſciences, for what they have done; neither is there Fine or Attaint lying againſt a Jury in Criminal Cauſes, ſo great is their Truſt, that God alone muſt determine of their Integrity, which is certainly a great engagement to uprightneſs. Now when a Perſon is acquitted by a Jury, being men qualified as aforeſaid, he is certainly acquitted by Law; for what is the Law but moſt refined Reaſon? And what's the Verdict of the Jury but the reſult of right reaſon, for they are the Sole Judges of matters of Fact, for the Law ſays, in Tryal, whether any Complaint as made, or any matter as alledged, be true or not, the Judges ought not, nor can ſay, nor have any thing at all to do therewith, but the Jury only. All the whole, or moſt they can do, or at leaſt ought, is only after and upon what the Jury, or the Parties themſelves agree, firſt to be true. So that what the Jury does, is called *Verdictum, viz.* the declaring of what is the Truth in the matter; what the Judges do, is called *Judicium, Juris dictum*, the telling only of what is the Law. Thus it is, that every finding of the Jury as their Verdict, *&c.* muſt be poſitive what the Fact and Parties intent, *&c.* was, and not ſaying only what their Evidence is; neither can the Judges ſo far meddle with, or take Cognizance of the matter of Fact, as to ſay, then the Fact, Caſe, *&c.* is ſo and ſo, if you agree your Evidence to be ſo and ſo. For they

they are not obliged to make the Teſtimony of thoſe that Swear, the ſole meaſure of the Fact, the Truth and Reality whereof, they are called to judge about. But they are to proceed on it in their own ſenſe; and as they apprehend or underſtand it themſelves, though the Judges differ with them, elſe how can they diſcharge their Conſcience, if they may not bring in what Verdict they judge in their Conſcience to be right, after through weighing all Circumſtances, which have any way any relation to the matter in hand. Again, although they may be convinced of the Fact, that the perſon charged before them did it, yet they are not to find him Guilty, unleſs they be ſatisfied, that he did it as it is laid in the Indictment, that is, that it be ſuch a Crime as is there ſtiled, and done with that Traiterous and malicious intention, as it is there laid. They are alſo to weigh and Conſider of the Quality and Creditableneſs of the Witneſſes, who are brought to prove the Indictment; For there are ſome whoſe Teſtimony the Law doth not admit, and conſequently the Jury are not to receive their Teſtimony, or in the leaſt to be influenced by it.

Nor are a Jury only to conſider of the Quality and Credit of the Witneſſes, but they are alſo to conſider the probability or improbability of what they depoſe. For as a Witneſs is to Swear nothing but what he hath heard or ſeen, and is not allowed to make Inferences or Deductions: So are Jurors not to Swallow it without Chewing of it, and examin the poſſibility of the whole, and the conſiſtency of one part with another. Neither is the Quality of

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the Witneſſes, and the probability of the matter to be only conſidered by the Jury, but they are alſo to weigh the agreeableneſs of the Fact to the Principles of the Party brought and Indicted; and whether it be likely that a Perſon of ſuch Loyalty, Integrity and Wiſdom ſhould be Guilty of it. And if upon their own Knowledge they believe him Innocent, they are not to bring him in Guilty, nor to find a Bill upon the Teſtimony of never ſo many Witneſſes. Nor is this all that belongs to a Jury; but they are likewiſe to conſider both the Motives, and the nature and manner of the Proſecution. For where there is either malice at the bottom, or unuſual and unbecoming rigour and violence in the purſuit, there is juſt ground adminiſtred of a ſuſpicion, that the perſon accuſed is not much *Nocent*, as his Enemies out of wrath and revenge would have him thought to be. Thus muſt they conſider and underſtand well the Indictment, and whether the fault alledged with the circumſtances and aggravations amount to and be a real fault or not, and alſo wrath Complaining of; If it be no fault, or one not worth complaining of, which in Law is all one, they reject the Bill and meddle no more with it. If they find it a fault and Conſiderable, as aforeſaid, then they conſider, if they know it to be true of themſelves; which if they do, or other Evidence ſatisfie them it is, they indorſe or write on the backſide of it, *Billa vera*, *This Bill is True*: But if they do not know it themſelves, nor be ſatisfied by the Evidence, then inſtead of *Billa vera* they write *Ignoramus*, *We know not*. And afterwards thus deliver all Indictments into Court.

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The Jury also may strike out of the Indictment, what they be not certain is true; or may any ways alter it to what they be certain is true; or if any thing be in it that they be doubtful of, they may subscribe it *Ignoramus*, otherwise they cannot perform their Oath, and so must become Perjur'd, in Swearing that to be true, which they are doubtful of. Thus if a Jury find the words not spoke, or the fact not done, with, and according to the Aggravations and Circumstances in an Indictment, &c. mentioned, they ought either not to find the Indictment, or strike out what they have not sufficient Evidence of, and then Endorse it *Billa Vera* to the rest which they have sufficient Evidence, and are well satisfied in.

And although the Jury by their Oath are bound to observe as well the Charge which shall be given by the Court, as the form of the Oath it self; it's plain it must then be understood so far, as the Charge is according to Law, and not contrary, or repugnant to the Oath it self, and no farther, or otherwise.

Thus now let a person be Charged of what Crime soever, and if a Jury passes upon him, and cannot find him, is he not then justly acquitted? and may he not be esteemed to be so, notwithstanding the Evidence brought in against him, which may seem sufficient to others, or perhaps to the Judg himself to Condemn him; but then we must consider, that the Evidence is wholly committed to the Jury to examine, and throughly to weigh each Circumstance, and they

being many, can see further into a matter, than one single person, and being upon their Oaths, must Act without favor or affection to either side; as perchance other persons which judg that the Verdict should be otherwise, may be some way or other prejudiced against the Person Charged; the Clerks of the Court also, to get Fees, and perhaps some others, for one finister end or other, will be apt to say, that the Jury ought to find an Indictment, or make a Presentment against any supposed offence, or offendor, though they have but colour of Evidence, or a probability of the thing being true, and that what they do, is but matter of Course or Ceremony; but he that considers what was said before, and the Oath of the Jury, will certainly find it otherwise, for they are to proceed with great Integrity, Circumspection and Deliberation, and enquire diligently into the matter before them, neither certainly can they discharge their Consciences, unless they use their utmost endeavors to find out the very truth, to which end they are designed, and obliged to it by Oath; neither can they Endorse *Billa Vera*, unless they be fully satisfied in all Circumstances to give a positive Verdict, without all doubting, for when a man doubts of the truth of a thing, how can he positively swear to the truth of it, without regret of Conscience, but rather when they cannot be satisfied, they write *Ignoramus*; we know not, that is, we cannot say, that the Person is guilty of the Fact alledged against him, we cannot say it is true; and if they cannot, I pray who can? Surely then the Party must remain as innocent of the Fact or Crime, for which he was Charged and indicted

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him, having ſtood the Trial of ſuch an exact ſearch, by a company of upright men, ſet apart on purpoſe to find out the truth, which are of known wiſdom and uprightneſs, and well affected to the Proteſtant Religion; but certainly, an Aſſociation, the intent whereof is, to *ſubvert the Monarchy, to diſturb the Quiet of the Government*, and then I believe, not to ſpare the *Proteſtant Religion*, ſuch an one muſt needs be Popiſh; this Aſſociation there was (and doubtleſly ſtill is) which are intended to effect ſuch curſed deſigns, and this was legally declared in open Parliament, and with the unanimous Faith of the Nation believed; nay, which is more, the King himſelf in his Proclamations, hath declared his Credit thereof.

This Aſſociating Conſpiracy of the Papiſts is needful, not only to be abhorred by every Loyal Subject, but alſo that their abhorrency thereof ſhould be even publickly manifeſted, *viz.* That every true *Engliſh* man (who if ſuch, truly loveth his King and Country) *will moſt deſervedly adhere to his Majeſty in defence of his Perſon and Government, and the Proteſtant Religion, with his Life and Fortune, againſt any Popiſh Aſſociations, Confederacies, or Attempts whatſoever.*

Nay, that theſe Enemies of our Religion, Liberties and Properties, are the very Enemies to both King and Kingdom, and Perſons never to be truſted, but Aſſociating Conſpirers, in order to the ruin of both, may plainly appear to us, in taking a ſhort view of their Diſloyal, Wicked and Traiterous Principles and Poſitions.

Viz. That the Pope can Abſolve Subjects from their ſworn Allegiance to their King, ſo *Suarez* affirms, ſaying, *The Pope can Abſolve Subjects from their Oaths of Allegiance, and that to aſſert the contrary, is to act contrary to the Cuſtom of the Church, the uſe and approbation of General Councils, the conſent of Catholick Doctors, nay, and againſt Reaſon, and is plainly Heretical:* and with reſpect to our *Engliſh* Oath of Allegiance, he affirms, *That a man need never be abſolved from it, becauſe it was never binding to him.*

And upon theſe Reaſons is grounded their Principle, *That a King may be Depoſed*; and accordingly it is apparent, how diſloyal they are, and what wicked and dangerous Traytors they are, and how deſtructive (wherever they are) to the Intereſt of King and Kingdom.

Several of their Writers broach theſe Principles in the World, many of vvhich they hold; that Kings, if they laviſhly vvaſte the publick Revenues, they may then be Depoſed by their Subjects; or if they be not faithful to their publick Truſt, or Promiſe to their Subjects.

And that if a King ſhould be guilty of Perjury, then He may be Depoſed: Perjury indeed is a great and flagitious impiety and crying Sin in any, yet is to be tolerated in Subjects by them, when Abſolved from their Oath of Allegiance to their Prince.

Or

Or that a Prince may be Depoſed, if any ways guilty of Murther; yea, even by conſenting to it, or conniving at it; which is no Sin at all in them, but an act of Merit, though it were to ſhed the blood of many thouſand poor Proteſtants, as has been done by them; it needs no Inſtance; it is generally held among them, that for Hereſie a King may be Depoſed, and then what Proteſtant King is in ſafety; the word *Hereſie* muſt be in their own acceptation, to wit, embracing a Religion which is not compoſed of Fopperies, Superſtitions and Idolatries.

Or if ſo be the King be a Schiſmatick, or a favourer of ſuch, then may he juſtly be Depoſed, according to their baſe Principles: And then any Prince that favours Schiſm, is to be Depoſed according to this Sentiment; but their Church hath not been free from Schiſms; nay, what Church hath been more rent with Schiſms, when ſeveral have declared themſelves true Popes, and made the Church a huge Monſter, with ſeveral heads?

Or if (according to their opinions) a King, whoſe Title and Poſſeſſion be lawful; yet if he oppreſs the People, then may He be Depoſed, not having learned to ſuffer wrongs with patience, and ſubmit unto that Providential Diſpenſation, which may ſet up an evil, ſometimes, as well as a good King.

Or

Or if a King be not diligent in the Extirpation of Hereſie out of his Dominions; Nay, if ſo be He himſelf ſhould be a Son of their Church, yet not diligent, but a ſluggiſh one, minding not the Admonition and Precepts of Holy Church (as they falſely call it), He may then be lawfully Depoſed.

Or many of them aſſert, That if a King be eaſie, or ſoft-natur'd, or not fitly qualified for Government, He may on that account be Depoſed, which certainly is better ſo to be, than ſo impious and abominably impure, as many of their Popes (who go lyingly under the Name of Chriſt's Vicars) have been, or as to their age uncapable, one would think, of ſuch a Function, as was for example *Benedict* the Ninth, a Boy of twelve years old, and yet was his little Holineſs Pope and Chriſt's Vicar, and as infallible as the beſt of them.

Nay, many of them will allow, that on what grounds ſoever the People think fit they may Depoſe their King.

Yea, in ſhort, it muſt be any thing whatever that is inconſiſtent with the Intereſt of the Pope and Church of *Rome*, that (according to their Principles) will give allowance to Subjects to Depoſe their Prince: there lyes the Baſis of all. It muſt be when he is not ſubſervient to their pleaſures and wills. Nay according to *Tho. Berrius*, ſee *Romiſh Treaſons*, Pag. 98. *Although that a King be Lawful, and understanding*

standing in Government, Industrious, Potent, a good Roman *Catholick, and Godly; yet the Pope and the Bishops, by the Approbation of the Pope; by Divine Law delivered to the Church by Christ and his Apostles, have power to take away his Dominions and Kingdoms from Him, and give them all to a third person, who had no right unto them; if so be, that they think that so doing to be not only necessary, but expedient.*

Such are these in their Principles and Practices, the Deposing only will not serve turn, but also the Blood of Kings they must have, as appears in *Childerick* the Second, King of *France*; whom *Bodille* seeing one time Hunting, and but few with him, having called his fellow Traytors together, went and presently slew him: But this not satisfying, to encrease their Villany, they took his Queen, great with Child, as she was, and murdered both her and the Infant.

And King *Henry* the Fourth of *France*, who was attempted to be murdered by *Jean de L'isse*, who (as the King was returning from Hunting) upon *Pont Neusi* in *Paris*, by taking hold of his Cloak, would have pulled him off his Horse, and endeavoured to Assassinate Him with his Dagger; but the King escaped him, and was pleased to pardon him, thinking him to be but an Enthusiastick Fool, for he declared himself to be King of All the World: But how this was, whether sham or no, we can't say. But the King some time after going in his Coash, with others, to visit his Great Confident the Duke of *Sully*, then indisposed, being come to the Street *La Ferronerie* (or Ironmongers), which was then

then very narrow, by reaſon of the Shops built againſt the Wall of St. *Innocent's* Church-yard, and a ſtop being made to his Coach by two Carts, the one laden with Wine, the other with Hay. At this ſtop one *Francois Ravaillac* took the opportunity to thruſt himſelf near the Coach, and ſetting one foot upon the Wheel, and the other againſt a Shop-Stall, ſo advanced himſelf, that with a Knife prepared for the purpoſe, he murdered him with two or three Stabs, before the miſchief was perceived. And ſo *Henry* the Third alſo, who was murdered by one *Clement* a Monk, having received a Letter from the hands of this *Clement*; whilſt the King was reading it, he plucks a Knife out of his Monk's Sleeve, and ſtabs the King in his Belly; yea, and their Principles juſtifie them to embrue their hands in the Blood of Kings. See *Rom. Treaſons*, Pag. 84. *Martinus Beanus* aſſerting——*Sometimes it ſo falls out, that Kings become wicked, or Hereticks; then the Pope may command that they be removed; which if they diſobey, they may be killed; and then this, nothing is more certain.* And again, *The Pope may deprive Kings of their Kingdoms on a double account; for if they be contumacious, he may have them kill'd, and ſo they are alſo deprived of their Kingdoms: and that this may be done, no man doth doubt.* As alſo *Suarez* affirming the ſame Doctrine, endeavours to prove it after this manner following: *When a King is Depoſed, then he is neither Lawful King nor Prince. And if therefore he endeavour to keep the Kingdom under him by ſtrength, then he is an Uſurper, becauſe he is no Lawful King, having no true Title to the Crown; for after that the Decree of Depoſition is*

gone

gone out againſt Him, He is altogether deprived of His Kingdom, ſo that He can't, with a juſt Title poſſeſs it, and ſo he may be uſed as a Tyrant or Uſurper; and by Conſequence may be ſlain by any Private Man: and this He ſaith, if He be an Heretick. Hereby it is moſt manifeſtly apparent, that if we will not ſhut our Eyes againſt the Light, that theſe are the Enemies, even thoſe that embrace the ſame Principles, *viz.* the *Popiſh Party*; which are Enemies to God, Enemies to King and Kingdom, thoſe who are bound in a Confederacy to deſtroy us; thoſe who muſt be falſe to their own Principles, if true to us; thoſe who are in Confederacy againſt the King, and Diſturbers of the Quiet of the Government.

Certainly it is moſt ſafe and requiſite, with Reſpect to the Perſon of the King, and the ſafety of the Government, and Preſervation of the Proteſtant Religion, of all Addreſſing to His Majeſty, to Addreſs againſt Theſe implacable Enemies to the Proteſtant Intereſt.

For ſatisfaction of any that hitherto may not have ſeen the Copy of the Aſſociation, Charged againſt the Earl of *Shaftsbury*, it is here Inſerted.

The ſubſtance of the Preface, is,

THat the Knights, *&c.* finding to their Grief, that the Papiſts and their Adherents, have, for ſeveral Years paſt, purſued a Plot to Root out the Proteſtant Religion, to take away the Life of the King, to Subvert the Laws, and to ſet up Arbitrary Government and Popery.

And it being Notorious, that the hopes of *J. D.* of *Y.* Succeeding the Crown, has given them encouragement, and they have been protected by him; and that thorough *Popiſh* Councils his Deſigns have ſo far prevailed, that he hath created many and great Dependents

dents upon him by beſtowing Offices and Preferments in Church and State.

It appearing alſo to them, that by his Influence, Mercenary Forces have been Levied, and kept on foot for his ſecret Deſigns, contrary to our Laws; the Officers thereof having been named and appointed by him, to the apparent hazard of His Majeſties Perſon, our Religion and Government, if the danger had not been timely fore-ſeen by ſeveral Parliaments; and parts of thoſe Forces, with great difficulty, cauſed by them to be Diſbanded at the Kingdoms great Expence: and it being evident, that notwithſtanding all the continued endeavours of the Parliament to deliver His Majeſty from the Councels, and out of the power of the ſaid D. yet his Intereſt in the Miniſtry of State, and others have been ſo prevalent, that Parliaments have been unreaſonably Prorogued and Diſſolved when they have been in hot purſuit of the Popiſh Conſpiracies, and ill Miniſters of State their Aſſiſtants.

And that the ſaid D. in order to reduce *All* into his own power, hath procured the Garriſons, the Arms and Amunition, and all their power of the Seas and Souldiery, and Lands belonging to theſe Three Kingdoms, to be put into the hands of his Party and their Adherents, in oppoſition to the Advice and Order of Parliament.

And they conſidering with heavineſs how the Strength, Reputation and Treaſure of the Kingdom at Sea and Land is waſted, and loſt by the intricate expenſive management of theſe deſtructive Deſigns; and finding the ſame Councels, after exemplary Juſtice upon ſome of the Conſpirators, to be ſtill purſued with the utmoſt Deviliſh Malice, and deſire of Revenge; whereby his Majeſty is in continual hazard of being Murthered, to make way for the ſaid D's advancement to the Crown; and the whole Kingdom, in ſuch Caſe is deſtitute of all ſecurity of their Religion, Laws, Eſtates, *&c.* Sad experience in the Caſe: Queen *Mary* having proved the wiſeſt Laws to be of little force to keep out Popery and Tyranny under a Popiſh Prince.

They

They having therefore endeavoured in a Parliamentary way by a Bill to Exclude the ſaid *D.* from the Succeſſion of the Crown, and to Baniſh him for ever out of *England* and *Ireland.* But the firſt means of *Englands* ſecurity being rejected, and they left almoſt in deſpair of obtaining any effectual ſecurity, and knowing themſelves to be entruſted to adviſe and act for the preſervation of His Majeſty and the Kingdom; and being perſwaded in their Conſciences, that the dangers aforeſaid are ſo eminent, that there ought to be no delay of the beſt means in their power to ſecure the Kingdom againſt them. They have thought fit to propoſe to all true Proteſtants an Union among themſelves by ſolemn and ſacred promiſe of mutual defence of the true Proteſtant Religion, his Majeſties Perſon, and our Laws, *&c.* and that they held it their bounden duty to joyn themſelves for the ſame intent in a Declaration of their United affections and reſolution in the form following:

Thus follows the form of the Association.

I *A. B.* do in the presence of God solemnly promise, vow, and protest to maintain and defend to the utmost of my Power, with my Person and Estate the true Protestant Religion, against Popery and all Popish superstition, Idolatry, or Innovation, and All those who do or shall endeavour to spread or advance it within this Kingdom.

I will also as far as in me lies, maintain and defend his Majesties Royal Person and Estate; as also the power and privileds of Praliaments, the lawful Rights and Liberties of the subject against All Incroachments and Usurpation of Arbitrary power whatsoever, and endeavour entirely to disband All such Mercenary Forces as We have Reason to believe were raised to advance it, and are still kept up in and about the City of *London*, to the great Amazement and terrour of all the good people of the Land.

More-

Moreover *J. D.* of *Y.* having publickly profeſſed and owned the Popiſh Religion, and Notoriouſly given life and Birth to the damnable and Helliſh Plots of the Papiſts againſt his Majeſties Perſon, the Proteſtant Religion, and the Government of this Kingdom; I will never Conſent that the ſaid *D.* of *Y.* or any other, who is or hath been a Papiſt, or any wayes adher'd to the Papiſts in their wicked deſigns, be admitted to the Succeſſion of the Crown of *England*, But by all lawful Means and by force of arms, if need ſo require, according to my Abilities, will oppoſe him, and endeavour to ſubdue, Expel, and deſtroy him, if He come into *England*; or the Dominions thereof, and ſeek by force to ſet up his pretended Title, and all ſuch as ſhall adhere unto him, or raiſe any War, Tumult, or Sedition for him, or by his Command, as publick Enemies of our Laws, Religion and Country.

The Substance of the Sequel.

To this End We, and every one of us, whose Hands are here underwritten, do most willingly bind our selves, and every one of us unto the other, joyntly and severally in the Bond of one firm and Loyal Society or Association; and Vow before God, to oppose any with joynt Forces that shall oppose this Association, and defend those that enter into it in the just performance of the true Interest of it; and lest it shou'd be hindred for want of Discipline or Conduct, or any evil-minded Persons under pretence of Raising Forces for the service of it, should commit disorders; we will follow such Orders as from time to time we shall receive from the Protestant Parliament, whilst Sitting, or the Major part of the subscribing Members, when *Prorogued* or *Dissolved*, and obey such Officers as by them shall be set over us in the several Countries, Cities and Burroughs, until the next Meeting of this or another *Parliament*; and will then shew the same Obedience and Sub-

Submiſſion unto it, and thoſe who ſhall be of it.

Neither will we for any Reſpect of perſons or cauſes; or for Fear or Reward, ſeparate our ſelves from this *Aſſociation*, or fail in the proſecution of it, during our Lives, upon pain of being by the Reſt of us proſecuted as Perjured perſons, and publick Enemies to God, the King and our Native Country.

To which *Pains* and *Puniſhments*, We do voluntarily ſubmit our Selves and every one of us without benefit of any colour or pretence to excuſe us.

In Witneſs of all which Premiſſes to be inviolably kept, we put our Hands and Seals, and ſhall be moſt ready to admit any others hereafter into this Society and Aſſociation.

See Proceedings at the *Old-Baily*, Page 15, 16, 17, 18.

Now

Now follows an Account of the *Association*, made and confirmed in the 27th year of the Reign of Queen *Elizabeth*.

IN *the 27th Year of the Reign of Queen* Elizabeth, *upon occasion of Rumors from all Parts; that great Dangers were at hand and threatned; to prevent the wicked Designs and Treacherous Practices of Seditious People, and to provide for the Queens safety, upon which the Welfare of the Realm and of Religion depended. Many men of all Degrees and Conditions throughout* England, *by means of the Earl of* Leicester, *and out of their own publick Care, and Love; whilst they stood not in fear of Her, but in fear for Her, bound themselves in an* Association *by mutual Vows, Subscriptions and Seals to prosecute to the Death, as far*

as

as lay in their Power, all thoſe that ſhould attempt any thing againſt the Queen.

Which Aſſociation, ſome time following, was confirmed and eſtabliſhed by General Conſent and Approbation. And it was Enacted, that twenty Four, or more of the Privy Council, and the Lords of Parliament, *to be deputed by the Queens Commiſſion, ſhould make Inquiſition after all ſuch as ſhould Invade the Kingdom, raiſe Rebellion, or attempt to hurt, or deſtroy the Qneens Perſon, for or by whomſoever employed, that might lay claim to the Crown of* England. *And that Her for whom, or by whom, They ſhould attempt the ſame, ſhould be utterly uncapable of the Crown of* England, *deprived wholly of All Right and Title to it, and proſecuted to Death by all faithful Subjects, if he ſhould be judged by thoſe four and twenty Men to be Guilty of ſuch Invaſion, Rebellion, or Treaſonable Attempt, and by publick Proclamation ſo declared.*

FINIS.